



Town of Jericho
DEVELOPMENT REVIEW BOARD
67 Route 15
Jericho, VT 05465

Via Certified Mail

CERTIFIED MAIL

July 28, 2015
Lucy & Paul Bathalon
225 Nashville Road
Jericho, Vermont 05465

Dear Bathalons:

At a meeting of the Jericho Development Review Board held on July 9, 2015 the Board heard your request for Conditional Use Approval for an accessory apartment at 37 Old Pump Road in the Agricultural District.

After review of the application, the Board voted to **approve** your request with conditions. Listed below are the Findings of Fact and Conditions that were approved by the Development Review Board on July 23, 2015:

Findings of Fact

1. The property under consideration is located at 37 Old Pump Road in the Agricultural District. A single-family dwelling currently exists on the parcel, along with an accessory shed.
2. The requested use is for a detached accessory apartment. In the agricultural district, this warrants a conditional use review.
3. This application meets the definition of an accessory apartment (§4.7.3 of Jericho Land Use Regulations).
4. This application meets all required setbacks as defined by the agricultural district in §5.7 of the Jericho Land Use Regulations.
5. The applicant has testified and shown on the final plan that the accessory apartment will be constructed outside the Wetland Overlay District.
6. The existing primary residence occupies 3,000 square feet. The proposed accessory apartment occupies 994 square feet and contains one bedroom and one bathroom.

7. No new access is proposed for the site.
8. The applicant has shown on the final plan that a new septic system will be installed to service the apartment independently from the single-family dwelling, though the apartment will be sharing a well with the primary dwelling. A new septic will also be constructed for the main house. A State Wastewater Permit has not yet been received by the town.
9. All criteria for approval as a conditional use under §301.4 of the Jericho Zoning Regulations have been met by this application.

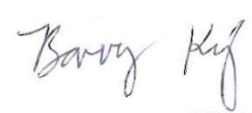
Conditions:

1. The applicant shall adhere to the site plan dated 06/15 as prepared by Willis Design Associates, Inc.
2. As per §4.7.3.1 the apartment shall only be occupied by the owner of the single family dwelling or by family of the owner of the single family dwelling.
3. Prior to the issuance of a zoning permit, the applicant must provide a determination from VT Agency of Natural Resources that the proper wastewater and potable water supply permits are in place.
4. The applicant will obtain and abide by all conditions of all other required local and state permits.
5. All utilities shall be run underground to any new structures on the property.
6. Substantial revisions to this plan shall require the review and approval of the Development Review Board at a publicly warned hearing.
7. By acceptance of these conditions without appeal, the applicants confirm and agree for themselves and all successors in interest that the conditions of this permit shall run with the land and shall be binding and enforceable.
8. The project shall be constructed, and shall be subsequently operated consistent with all findings of fact and conditions set forth above and in any other permit obtained by the applicant for this project.

Motion by Jeff York, to conditionally approve the request by Lucy & Paul Bathalon for Conditional Use approval for an accessory apartment on the property at 37 Old Pump Road. Seconded by Chris West. Those in favor: Barry King, Chris West, Joe Flynn and Jeff York. Opposed: None. Abstained: None. Motion carried 4-0. The application was approved.

In accordance with 24 V.S.A. §4471 any Interested Person may appeal this decision within 30 days by filing a notice of appeal by certified mail, sent to the State Environmental Court with a copy to the Town of Jericho. Address: *Vermont Superior Court, Environmental Division, 2418 Airport Rd., Suite 1, Barre, VT 05641-8701*. The current filing fee for an appeal is \$262.50, payable to Vermont Superior Court, and it must be sent in with the notice of appeal. Anyone with questions about an appeal can call the Court at 802 828-1660.

Sincerely,

A handwritten signature in cursive script, appearing to read "Barry King". The signature is written in dark ink on a light background.

Barry King, Chair
Jericho Development Review Board

cc: Town Clerk
Michelle Patrick, Jericho Zoning Administrator
Lister - Town of Jericho
Selectboard